Union Calendar No. 76

108TH CONGRESS 1ST SESSION

H. R. 1497

[Report No. 108-100, Part I]

To reauthorize title I of the Sikes Act.

IN THE HOUSE OF REPRESENTATIVES

March 27, 2003

Mr. Pombo introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

May 14, 2003

Reported from the Committee on Resources with amendments [Strike out all after the enacting clause and insert the part printed in italic]

May 14, 2003

Referral to the Committee on Armed Services extended for a period ending not later than June 13, 2003

June 13, 2003

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on March 27, 2003]

A BILL

To reauthorize title I of the Sikes Act.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 3 SECTION 1. SHORT TITLE. 4 This Act may be cited as the "Sikes Act Reauthorization Act of 2003". SEC. 2. REAUTHORIZATION OF TITLE I OF SIKES ACT. 7 Section 108 of the Sikes Act (16 U.S.C. 670f) is amended by striking "fiscal years 1998 through 2003" each place it appears and inserting "fiscal years 2004 through 10 2008". SEC. 3. SENSE OF CONGRESS. 12 (a) FINDINGS.—The Congress finds the following: 13 (1) The Department of Defense maintains over 14 25,000,000 acres of valuable fish and wildlife habitat 15 on approximately 400 military installations nationwide.16 17 (2) These lands contain a wealth of plant and 18 animal life, vital wetlands for migratory birds, and 19 nearly 300 federally listed threatened species and en-20 dangered species. 21 (3) Increasingly, land surrounding military 22 bases are being developed with residential and com-23 mercial infrastructure that fragments fish and wild-24 life habitat and decreases its ability to support a di-

versity of species.

25

- 1 (4) Comprehensive conservation plans, such as
 2 integrated natural resource management plans under
 3 the Sikes Act (16 U.S.C. 670 et seq.), can ensure that
 4 these ecosystem values can be protected and enhanced
 5 while allowing these lands to meet the needs of mili6 tary operations.
 - (5) Section 107 of the Sikes Act (16 U.S.C. 670e-2) requires sufficient numbers of professionally trained natural resources management personnel and natural resources law enforcement personnel to be available and assigned responsibility to perform tasks necessary to carry out title I of the Sikes Act, including the preparation and implementation of integrated natural resource management plans.
 - (6) Managerial and policymaking functions performed by Department of Defense on-site professionally trained natural resource management personnel on military installations are appropriate governmental functions.
 - (7) Professionally trained civilian biologists in permanent Federal Government career managerial positions are essential to oversee fish and wildlife and natural resource conservation programs are essential to the conservation of wildlife species on military land.

1	(b) Sense of Congress.—It is the sense of Congress					
2	that the Secretary of Defense should take whatever steps are					
3	necessary to ensure that section 107 of the Sikes Act (16					
4	U.S.C. 670e-2) is fully implemented consistent with the					
5	findings made in subsection (a).					
6	SEC. 4. ADVANCE NOTICE AND CONSULTATION REGARDING					
7	INTEGRATED NATURAL RESOURCE MANAGE-					
8	MENT PLANS.					
9	Section $101(a)(2)$ of the Sikes Act (16 U.S.C.					
10	670a(a)(2)) is amended—					
11	(1) by inserting "(A)" before "The Secretary";					
12	and					
13	(2) by adding at the end the following:					
14	"(B)(i) The Secretary of a military department					
15	shall advise the Secretary of the Interior and the head					
16	of the appropriate State fish and wildlife agency of					
17	the intent of the Secretary of the military department					
18	to prepare or revise an integrated natural resources					
19	management plan under this subsection, by not later					
20	than 30 days before publishing public notice of such					
21	intent.					
22	"(ii) The Secretary of the military department,					
23	the Secretary of the Interior, and the head of such ap-					
24	propriate State fish and wildlife agency, in the period					
25	beginning on the date of publication of notice under					

1	clause (i) and ending on the date of publication of					
2	public notice referred to in clause (i), shall consult to					
3	determine the following:					
4	"(I) The intended scope of the integrat					
5	natural resources management plan that is th					
6	subject of the notice.					
7	"(II) The timetable for preparation or red					
8	sion of such plan.					
9	"(III) What steps must be taken to comply					
10	with section 102 of the National Environmental					
11	Policy Act of 1969 (42 U.S.C. 4332) in suc					
12	preparation or revision.					
13	"(IV) An estimation of the financial and					
14	human resources needed to complete such prepa-					
15	ration or revision.".					
16	SEC. 5. RESOURCE AGENCY CERTIFICATIONS REGARDING					
17	INTEGRATED NATURAL RESOURCE MANAGE-					
18	MENT PLANS.					
19	Section 101 of the Sikes Act (16 U.S.C. 670a) is fur-					
20	ther amended—					
21	(1) in subsection (a)(2), by adding at the end the					
22	following:					
23	"(C) An integrated natural resources manage-					
24	4 ment plan prepared or revised under this section sha					
25	5 not be considered to reflect the mutual agreement					

- the parties for purposes of subparagraph (A) unless
 the Secretary of the Interior, the head of the appropriate State fish and wildlife agency, and the Sectetary of the military department that prepares or revises the plan each certify that the plan adequately
 addresses conservation, protection, and management
 of fish and wildlife resources.":
 - (2) in subsection (b)(2), by inserting "and recertified under subsection (a)(2)(C) by each of the Secretary of the Interior, the head of the appropriate State fish and wildlife agency, and the Secretary of the military department that prepared the plan" after "parties thereto"; and
- (3) in subsection (f)(2), by adding at the end the following: "The report shall include a statement of the number of integrated natural resources management plans that were certified or recertified by the Secretary of the Interior under subsection (a)(2)(C) in the year covered by the report."
- 20 SEC. 6. PUBLIC NOTICE AND COMMENT REGARDING INTE-
- 21 GRATED NATURAL RESOURCE MANAGEMENT
- 22 PLANS.
- Section 101(a)(2) of the Sikes Act (16 U.S.C.
- 24 670a(a)(2)) is further amended by adding at the end the
- 25 following:

8

9

10

11

12

13

1	"(D) The Secretary of a military department						
2	shall—						
3	"(i) publish public notice in the Federal						
4	Register or, if more appropriate, a readily acces-						
5	sible publication such as a local or regional						
6	newspaper, of the intent of the Secretary to pre-						
7	pare or revise an integrated natural resource						
8	management plan under this paragraph; and						
9	"(ii) provide an opportunity for the submis-						
10	sion by the public of comments regarding such						
11	preparation or revision, for a period of at leas						
12	30 days.".						
13	SEC. 7. INVASIVE SPECIES MANAGEMENT FOR MILITARY IN						
14	STALLATIONS.						
15	(a) In General.—Section 101(b)(1) of the Sikes Act						
16	(16 U.S.C. 670a(b)(1)) is amended by redesignating sub-						
17	paragraphs (D) through (J) in order as subparagraphs (E)						
18	through (K), and by inserting after subparagraph (C) the						
19	following:						
20	"(D) in the case of a plan for a military in-						
21	stallation in Guam, management, control, and						
22	eradication of invasive species that are not na-						
23	tive to the ecosystem of the military installation						
24	and the introduction of which cause or ma						
25	cause harm to military readiness, the environ-						

1	ment, the economy, or human health and safe-					
2	ty;".					
3	(b) Application.—The amendment made by sub-					
4	section (a) shall apply—					
5	(1) to any integrated natural resources manage					
6	ment plan prepared under section 101(a)(1) of the					
7	Sikes Act (16 U.S.C. 670a(a)(1)) on or after the day					
8	of the enactment of this Act; and					
9	(2) to any integrated natural resources manage					
10	ment plan prepared under section 101(a)(1) of the					
11	Sikes Act (16 U.S.C. 670a(a)(1)) before the date of the					
12	enactment of this Act, effective March 1, 2004.					
	Amend the title so as to read: "A bill to reauthorize					

title I of the Sikes Act, and for other purposes.".

Union Calendar No. 76

108TH CONGRESS H.R. 1497

[Report No. 108-100, Part I]

A BILL

To reauthorize title I of the Sikes Act.

June 13, 2003

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed